

OFFICIAL INFORMATIONCONFIDENTIAL**EVIDENCE CODE SECTION 1040
INTRADEPARTMENTAL CORRESPONDENCE**

DATE: November 18, 2015

TO: Honorable Board of Police Commissioners

FROM: Inspector General

SUBJECT: OFFICER-INVOLVED SHOOTING 004-15 FOR 11/24/15 CLOSED-SESSION
AGENDA

<u>Division</u>	<u>Date</u>	<u>Time</u>	<u>Duty-On (X) Off ()</u>	<u>Uniform-Yes (X) No ()</u>
Mission	1/15/15	10:45 p.m.		

<u>Officer(s) Involved in Use of Force</u>	<u>Length of Service</u>
Hourigan, R./PO II	9 years, 11 months
Seibert, B./PO II	8 years, 7 months

Total Involved Officer(s)

2 x Sgt I
6 x PO II

<u>Suspect</u>	<u>Deceased ()</u>	<u>Wounded (X)</u>	<u>Non-Hit ()</u>
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Alvin Pinwatana: Male Asian, 40 years of age.

COP Recommendations

Tactics – Administrative Disapproval, Sergeant Parker. Tactical Debrief, Officers Hourigan, Seibert, An, Oh and Schumacher.

Drawing/Exhibiting – In Policy, No Further Action, Officers Oh and Hourigan.

Less-Lethal Use of Force – In Policy, No Further Action, Officer Seibert.

Lethal Use of Force – Out of Policy, Administrative Disapproval, Officer Hourigan.

IG Recommendations

Tactics – Same as COP.

Drawing/Exhibiting – Same as COP.

Less-Lethal Use of Force – Same as COP.

Lethal Use of Force – Same as COP.

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INVESTIGATION

Annotated Force Investigation Division (FID) Incident Summary¹

On Thursday, January 15, 2015, at 2229 hours, Los Angeles Fire Department (LAFD) Communications Division (CD) transferred a 911 call for service to the Los Angeles Police Department (LAPD) CD. The LAFD operator advised they were responding to a medical emergency of a, *"40 year-old male locked in the bathroom with a knife, threatening suicide,"* at the residence located at [REDACTED] Reedley Street.²

Note: The LAFD received the call at 2226 hours and, at 2228 hours, assigned it to Fire Station No. 7.

On the line with LAFD was the person reporting, [REDACTED], who identified the individual threatening suicide as her brother, Alvin Pinwatana.³ The LAPD operator generated an incident number for the call and [REDACTED] was advised that both the LAFD and LAPD would be responding.

At 2230 hours, LAPD CD broadcast, *"Any Mission unit, ambulance attempt suicide, [REDACTED] Reedley Street, [REDACTED] Reedley Street, 40 year-old male locked in the bathroom with a knife, Code Three, incident 5517, RD 1988."* At 2231 hours, Mission Patrol Division (MPD) uniformed Police Officers II James Arredondo, Serial No. 34252, and Brandon Seibert, Serial No. 36695, assigned 19A7, were assigned the call.⁴

At 2233 hours, LAFD Engine No. 7, staffed by Captain Steven Baker, Engineer Daniel Leddy, Firefighter Paramedic (FF/PM) Eduardo Perez and FF/Emergency Medical Technician Peter Wilkinson arrived on scene. Simultaneously, MPD uniformed Police Officers II Sang An, Serial No. 37917, and Sam Oh, Serial No. 39989, assigned 19X94, cancelled 19A7 and advised CD they were closer and would respond.⁵

Captain Baker was met by [REDACTED] who advised him that Alvin [REDACTED] [REDACTED] had locked himself in the bathroom and was in possession of a large

¹ The Incident Summary presented here is reproduced from FID's report regarding this case, and is supplemented with annotations by the OIG. All OIG annotations are referenced as an "OIG Note." All other references and citations in the reproduced FID Incident Summary (e.g., Investigators' Notes or Addenda Items) are reproduced directly from FID's report. Unless otherwise stated, all information provided in OIG annotations is derived from FID's investigation of this incident.

² Information received from recording of incoming calls for service on the LAPD CD emergency 911 line.

³ Alvin Pinwatana, male Thai, 40 years of age, 5 feet, 11 inches tall, and 165 pounds.

⁴ Officer Seibert, 8 years, 7 months with the Department, 34 years of age, 6 feet, 2 inches tall and 225 pounds, was in full uniform, wearing his ballistic vest and equipped with a Thomas A. Swift Electric Rifle (TASER) Model X26, Oleoresin Capsicum (OC) spray, handcuffs, hobble and a flashlight.

⁵ Due to the nature of the call, Officers Arredondo and Seibert continued their response in a back-up capacity.

kitchen knife. As Engineer Leddy remained outside, [REDACTED] escorted Captain Baker, along with FF/PM Perez and FF/EMT Wilkinson, into the residence and directed them to the locked bathroom. [REDACTED] exited the residence and LAFD personnel knocked on the bathroom door and requested Alvin to exit. Alvin opened the bathroom door and leaned out. Captain Baker observed Alvin was naked and had, *"what appeared to be like dried smeared blood on part of his body,"* as Alvin inquired, *"if we (LAFD) had a gun and if we could shoot him."*⁶ Alvin then closed the bathroom door (Investigators' Note No. 1).

Captain Baker believed Alvin was possibly armed and immediately requested a police back-up, via LAFD CD, as he and his fellow LAFD personnel evacuated the remaining residents from within the location. At 2235 hours, LAPD CD broadcast that the LAFD was now requesting a back-up for a man armed with a knife (Investigators' Note No. 2).

At 2238:45 hours, Officers An and Oh arrived on scene. As Officer An retrieved his bean-bag shotgun, Officer Oh was briefed by Captain Baker at the fire truck parked on the street as to the reason for the back-up request. Once briefed, Officer Oh met with [REDACTED] in an attempt to obtain further information about Alvin's mental history.

At 2240:05 hours, MPD uniformed Sergeant I David Parker, Serial No. 37112, assigned 19L30, arrived on scene and observed Officer An armed with a bean-bag shotgun providing cover on the open front door of the residence, and Officer Oh speaking with [REDACTED]. As Sergeant Parker approached, he could hear [REDACTED] and other family members speaking with, *"a sense of urgency,"* and advising Officer Oh that, *"he's got a knife, he's in the bathroom"* (Investigators' Note No. 3).⁷

While Officer Oh obtained a description of the interior of the residence from [REDACTED], MPD uniformed Police Officer III Bradley Schumacher, Serial No. 33696, and Police Officer II Ryan Hourigan, Serial No. 37390, assigned 19A1, along with Sergeant I Kenneth Pritchett, Serial No. 32306, assigned 19L120, arrived on scene.⁸

Note: Sergeant Pritchett notified CD he was on scene at 2241:45 hours.

Officer Oh briefed Sergeant Parker, advising him that Alvin had locked himself inside the bathroom and Alvin's family feared he was going to kill himself. Sergeant Parker formulated an entry team and assigned Officer Oh, who was in possession of a TASER,

⁶ Transcribed statement of Steven Baker, Page 14, Lines 12 and 13, and Page 5, Line 17.

⁷ Transcribed statement of Sergeant Parker, Page 7, Line 24 through Page 8, Line 1.

⁸ Officer Hourigan, 9 years, 11 months with the Department, 39 years of age, 6 feet, 3 inches tall, weighed 260 pounds, was in full uniform, wore a ballistic vest, and was equipped with Oleoresin Capsicum (OC) spray, handcuffs, flashlight and his .40 caliber Glock pistol. Officer Hourigan was not in a possession of a hobble.

and Officer An, who was armed with a bean-bag shotgun, less-lethal. Officer Oh was also tasked with handling communications with Alvin.⁹ Officers Hourigan and Schumacher were assigned as the arrest team and were armed with their duty weapons.¹⁰ Sergeant Parker would trail in behind the officers and maintain supervisory control as Sergeant Pritchett remained outside and provided cover on the west side of the residence (Investigators' Note No. 4).

The entry team deployed on the open front door and, upon entry, Officer Oh identified himself and requested Alvin to exit with his hands up. Simultaneously, Officers Arredondo and Seibert arrived on scene and met with Sergeant Parker, who was at the rear of the entry team and had yet to enter the residence. At Sergeant Parker's request, Officers Arredondo and Seibert responded to Sergeant Pritchett's location to determine if the bathroom possessed a window and to ensure that Alvin did not attempt to flee through it. The officers located the bathroom window and, as Officer Arredondo provided cover on the window with Sergeant Pritchett, Officer Seibert responded back to the front of the residence.

Meanwhile, Officer An had deployed in the living room east of the hallway entrance and, with his bean-bag shotgun, was providing cover on the closed bathroom door which was located on the west side of the hallway and faced in an easterly direction. Officer Oh had deployed to the south side of the hallway entrance where he had an unobstructed view of the bathroom door. Officer Hourigan deployed along the east wall of the entryway near the living room and Officer Schumacher deployed in the entryway south of Officer Oh's position. Sergeant Parker had moved past the entry team and deployed inside the living room.¹¹

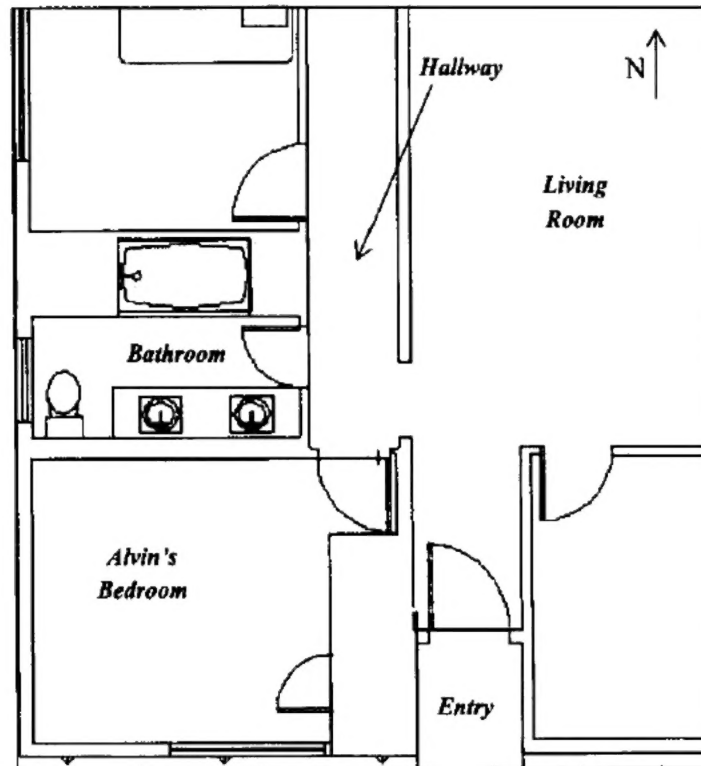
Officer Oh continued to identify himself and request Alvin to exit the bathroom with his hands up. With no response, Officer Schumacher momentarily exited the residence to confirm with Alvin's family that the door they were deployed on was the door to the bathroom.

Note: Directly south of the bathroom was another locked door which faced northbound. Officer Schumacher was advised the door accessed Alvin's bedroom.

⁹ Upon assigning Officer Oh as TASER officer, Sergeant Parker advised him that it was also his responsibility to provide Alvin with a Garner warning if the activation of the TASER became necessary.

¹⁰ Due to the possibility of encountering an armed suspect, Officers Oh and Hourigan armed themselves with their duty weapons prior to entering the residence. Officer Schumacher advised he never unholstered his duty weapon.

¹¹ Officer Oh stated he holstered his pistol when he started commanding Alvin to exit the bathroom.



Simultaneously, Officer Oh heard movement from behind the bathroom door and notified Sergeant Parker. As Officer Schumacher re-entered the residence, he advised the entry team they were correctly deployed. Although Sergeant Parker did not observe any blood present in the residence he was unsure if Alvin's failure to respond was willful or was, "because he was down and possibly bleeding out," inside the bathroom. Sergeant Parker decided exigent circumstances existed and elected to breach the door.¹²

OIG Note No. 1: *Sergeant Parker stated, "So I, I wasn't sure if his lack of response was because of failure to answer or, willingly failure to answer, or if it was because he was down and possibly bleeding out. So at that point, you know, I, I made the decision that, you know, there's extra urgency. We needed to get in there."*¹³

According to Officer Seibert, he entered the residence as the entry team was discussing how to tactically make entry into the bathroom. Officer Seibert advised that his partner was covering the bathroom window and Sergeant Parker inquired if Officer Seibert was TASER equipped to which he answered in the affirmative. Sergeant Parker then assigned him as TASER officer and Officer Seibert deployed south of Officer Oh along the west wall of the entryway (Investigators' Note No. 5).

¹²Transcribed statement of Sergeant Parker, Page 13, Lines 23 and 24.

¹³ Sergeant Parker, Page 13, Lines 21-25 and Page 14, Line 1.

Due to Hourigan's physical stature, Sergeant Parker tasked him with breaching the door. Because Alvin's bedroom door was closed and locked, Officer Hourigan was limited to either backing into the entryway after breaching the door or deploying northbound in the hallway. Not wanting Officer Hourigan to be in crossfire if deadly force became necessary, Sergeant Parker instructed him to deploy north of the bathroom, in the hallway, once he breached the door.

Note: The north end of the hallway led to an unoccupied bedroom, with no exterior exit.

In this position, the east wall of the hallway prevented Officer Hourigan from being able to view the other officers, and they were unable to view him.

With the entry team in place, Officer Hourigan holstered his weapon and entered the hallway. Officer Hourigan kicked the bathroom door near the doorknob with his right foot, with negative results. Officer Hourigan kicked the door a second time and successfully breached the door. As the door swung open, Officer Hourigan observed Alvin standing inside the bathroom, screaming, and it, *"appeared that he was naked from the top up, all covered in blood."*¹⁴

Officer Hourigan quickly deployed northbound in the hallway and, believing that Alvin was still possibly armed, immediately unholstered his weapon to a low ready position. Unable to see into the bathroom from his position, Officer Hourigan provided cover on the open bathroom door.

Note: Officer Hourigan stated that he did not see Alvin's hands before he deployed northbound, but believed Alvin was possibly armed due to the comments of the radio call and the information Officer Oh received from Alvin's family.

OIG Note No. 2: Officer Hourigan said he could see Pinwatana standing inside the bathroom. He was asked by FID if he recalled where Pinwatana's hands were at. He replied, *"I don't recall hands."*¹⁵

Simultaneously, Officer Oh observed Alvin naked, covered in blood holding a knife in front of him and, *"he was staring directly at me at that time."*¹⁶ Officer Oh, in fear for his safety, backed up toward the east wall of the entryway. As he was preparing to deploy his TASER, Officer Oh ordered Alvin to, *"Drop the knife."* Officer An, who also observed Alvin naked and covered in blood while holding a knife in his right hand, also notified the entry team that Alvin was armed (Investigators' Note No. 6).

¹⁴Transcribed statement of Officer Hourigan, Page 18, Lines 4 and 5.

¹⁵ Officer Hourigan, Page 18, Line 18.

¹⁶ Transcribed statement of Officer Oh, Page 10, Lines 1 and 2.

OIG Note No. 3: Officer An stated, "So as soon as it opens, the door is somehow propped open where I'm able to see a good view of him. And I'm seeing that he has a knife and I'm verbalizing to the team, 'He's, he's got a knife. He's got a knife.' And I believe the other officers are, are saying, 'he's got a knife, he's got a knife.'" ¹⁷

As Officer Oh continued with his commands for Alvin to drop the knife, Officer Hourigan heard Alvin state, "You're going to have to shoot me. You're going to have to kill me."¹⁸ Sergeant Parker, having observed Alvin naked and bloody and, "There's blood in the bathroom and he's holding a butcher knife," yelled, "TASER"¹⁹ (Investigators' Note No. 7).

Note: [REDACTED], from outside of the residence, advised she recognized Alvin's voice as he stated, "you're going to shoot me or something."²⁰

In the interim, with Alvin screaming and several officers commanding him to drop the knife and to get on the ground, Officer An observed the knife fall onto the bathroom floor.

OIG Note No. 4: In describing the sequence of events, Officer An stated, "First opened the door. See the knife. Call out the knife. And then, I don't know, 15, 20 seconds later he drops the knife."²¹

Officer An verbalized, "The knife is down, the knife is down," and then as Alvin began to exit the bathroom, Officer An announced, "he's coming, he's coming out."²²

Note: None of the other officers reported hearing Officer An state that Alvin had dropped the knife (Investigators' Note No 8).

As Alvin began to advance in the direction of the officers, Sergeant Parker yelled, "TASER him." Officer Seibert, who was not present during the original briefing but was in possession of a TASER, heard Sergeant Parker's request and deployed to the hallway entrance where he observed Alvin, "naked, with blood spurting out of his neck and walking towards us."²³ Officer Seibert aimed his TASER at Alvin's midsection as

¹⁷ Officer An, Page 15, Lines 2-8.

¹⁸ Transcribed statement of Officer Hourigan, Page 8, Lines 13 and 14.

¹⁹ Transcribed statement of Sergeant Parker, Page 15, Line 5.

²⁰ Transcribed statement of [REDACTED], Page 8, Line 22.

²¹ Officer An, Page 15, Lines 16-18.

²² Transcribed statement of Officer An, Page 19, Lines 14 through 16.

²³ Transcribed statement of Officer Seibert, Page 10, Lines 1 through 3.

Alvin reached the bathroom threshold activated it from a distance of approximately 6 feet, 8 inches (Investigators' Note No. 9).

Note: The TASER activation occurred at 22:44:43 hours. According to Sergeant Parker there was no time to give Alvin a (Garner) warning.

Simultaneously, Officer Hourigan observed Alvin cross the threshold of the bathroom into the hallway, in the direction of the other officers. He did not recall seeing anything in Alvin's hands, because, "*it happened so fast,*" but heard other officers yelling for him to, "*Drop the knife.*" Believing Alvin had a knife and was going to harm his fellow officers, Officer Hourigan fired one round from his pistol from a distance of approximately five feet while aiming at Alvin's left upper torso area, striking him on the left rear shoulder (Investigator's Note No. 10).²⁴

OIG Note No. 5: *Officer Hourigan stated, "The subject came out of the bathroom, hunched over, hands clenched aggressively, towards my partner officers who were still in the threshold that which leads into the family room."²⁵ Officer Hourigan further described how the suspect's hands were clenched, stating, "In, towards his body, towards his chest area, upper torso area."²⁶ FID asked if Officer Hourigan was able to see anything in the suspect's hands. Officer Hourigan replied, "Not, not, not clearly. It happened so fast."²⁷*

Note: Because the east wall of the hallway blocked the other officers' view of Officer Hourigan, they did not observe him fire his pistol.

Alvin went down onto the floor in the hallway with his knees and hands under his body and Sergeant Parker advised officers to, "*Cease fire,*" and inquired as to, "*Who fired?*"²⁸ At the conclusion of the five second burst from Officer Seibert's TASER, Alvin began to stand up. Sergeant Parker instructed Officer Seibert to administer another five second burst and Officer Seibert activated the TASER again, with negative results.

Note: Alvin had multiple self-inflicted lacerations, which included a large and deep cut across his neck. Due to the amount of blood present on Alvin, Officer Seibert was unable to see where or if the TASER darts had penetrated his skin.

²⁴ Transcribed statement of Officer Hourigan, Page 9, Lines 6-10, and Page 24, Lines 9-12.

²⁵ Officer Hourigan, page 9, Lines 7-9.

²⁶ Officer Hourigan, page 23, Lines 21-25.

²⁷ Officer Hourigan, page 24, Lines 11-12.

²⁸ Transcribed statement of Sergeant Parker, Page 17, Line 6.

Alvin stood up and continued to advance toward the officers who were deployed in the entryway and living room. Sergeant Parker, not knowing if Alvin was still armed, deployed further east in the living room as Officer Seibert removed the spent cartridge from his TASER and reloaded it with a new cartridge from his TASER holster. Officer Seibert redeployed further east into the living room and while aiming at Alvin's stomach, fired the TASER a second time from a distance of 7 feet, 7 inches, as Alvin crossed the threshold into the living room. Alvin went down onto the floor in the living room and, upon the completion of the five second burst, attempted to stand up again. Officer Seibert deployed an additional five second burst while instructing Alvin to remain on the ground.

Note: The final TASER activation occurred at 22:45:32 hours.

Alvin went back down to the floor, thereby complying with Officer Seibert's order. Officer Schumacher, after donning protective gloves, approached Alvin and handcuffed him without further incident. Once Alvin was in custody, LAFD personnel responded into the residence without delay, and treated him for a single gunshot wound to the left shoulder and multiple self-inflicted stab wounds.

As the LAFD removed Alvin from the residence, Officer Hourigan notified Sergeant Parker that he had fired his weapon. Sergeant Parker immediately removed him from the residence, along with the remaining entry team and had them space themselves out on the front lawn. Sergeant Parker then instructed Sergeant Pritchett to obtain a Public Safety Statement (PSS) from Officer Hourigan, which he did. At 2246 hours, MPD uniformed Sergeant I Larry Cameron, Serial No. 31037, assigned 19L40, arrived on scene and obtained a PSS from Officers Seibert, Oh, An and Schumacher, as well as Sergeant Parker. The PSS received from the involved and percipient officers were consistent with their formal statements given to FID investigators.

At 2249 hours, RA No. 7 transported Alvin to Holy Cross Medical Center. Mission Patrol Division uniformed Police Officer II Erika Sanchez, Serial No. 40986, rode in the RA with Alvin, while her partner, Police Officer II Tim Baucher, Serial No. 38669, followed behind in their police vehicle.

Note: Officer Sanchez advised Alvin did not make any statements while in her presence.

At 2302 hours, MPD Watch Commander Lieutenant I Paul McLaughlin, Serial No. 32195, arrived on scene and assumed the role of Incident Commander from Sergeant Parker. Lieutenant McLaughlin ensured that the perimeters were secure, that additional supervisors were en route and that a canvass was conducted.

At 0032 hours, Detective III Martha Rodriguez, Serial No. 23576, was the first representative from FID to arrive on scene. All documents and circumstances surrounding the separation, monitoring, and admonition of officers not to discuss the incident prior to being interviewed by FID investigators were reviewed by FID Detective

II Kenneth Sanchez, Serial No. 26419. All protocols were complied with and properly documented (Addendum No. 1).

Scene Description

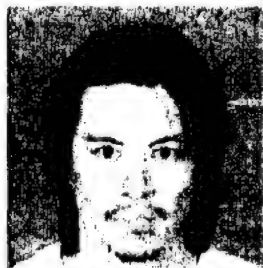
The Officer-Involved Shooting (OIS) occurred inside a single family residence located at [REDACTED] Reedley Street in the City of Los Angeles. The 13200 Block of Reedley Street was an east west street bordered by Canterbury Avenue on the east and Nagle Avenue on the west. The residence was located on the north side of the street and was single story, grey in color with white trim. The incident occurred indoors and artificial lighting was provided by ceiling mounted light fixtures in the entry way, hallway, and a wall mounted light fixture inside the bathroom. No video monitoring system existed within the residence at the time of the incident.

Canvass for Witnesses

On January 15, 2015, personnel from MPD, along with FID, conducted a canvass of the immediate area for any witnesses to the OIS. The incident occurred inside the residence following the evacuation of the residence by members of the LAFD and therefore, there were no eyewitnesses to the OIS. The statements of all the witnesses who were interviewed were recorded and transcribed. Copies of their certified transcripts are contained in this report.

Suspect Information

Alvin Pinwatana, Alias Alvin Pinwatha, was a male of Thai decent with black hair and brown eyes. At the time of the OIS, he was 5 feet, 11 inches in height, weighed 165 pounds, and had a date of birth of July 12, 1974. Pinwatana was identified by Criminal Information Index (CII) No. [REDACTED]. Pinwatana was not a documented member of any street gang. [REDACTED]



Pinwatana's criminal history consisted of one arrest for Robbery on April 21, 2009, with no conviction (Addenda Nos. 2 and 3).

As a result of Pinwatana's actions on January 15, 2015, he was arrested for Assault with a Deadly Weapon (ADW) on a Police Officer (PO) and absentee booked while at Providence Holy Cross Medical Center under Booking No. 4214171. On January 20, 2015, FID Criminal Apprehension Team Detective II Robert McCarty, Serial No. 31125, presented the case to the Los Angeles County (LAC) District Attorney's (DA) Office who filed one count of ADW on a PO (Addendum No.4).

OIG Note No. 5: The OIG noted that the MO portion of the Investigative Report, DR#15-19-04699, filed by FID, noted "The suspect, while holding

a knife in his hand, charged at officers resulting in a officer involved shooting." This narrative is not consistent with the facts established by the investigation.

OIG Note No. 6: [REDACTED]

On January 23, 2015, Detective McCarty met with Alvin Pinwatana in an attempt to interview him. Although Alvin invoked his Miranda rights and refused to give a statement he did authorize the release of his medical records.

On May 26, 2015, Alvin Pinwatana pled guilty to one count of 69 PC, Resisting an Executive Officer, a felony. Sentencing was scheduled for June 9, 2015, where Pinwatana agreed to three years formal probation and a one-year residential treatment program to address his mental health issues, in exchange for his plea.

Injuries

Upon arrival at Providence Holy Cross Medical Center, Pinwatana was admitted under Patient Medical Record Number (MRN) [REDACTED]. Doctors Georgia Sotiropoulos and David Hanpeter treated Pinwatana for a [REDACTED]

[REDACTED] Pinwatana remained under medical supervision until he was discharged on January 26, 2015, and transferred into the custody of the Los Angeles Sheriff's Department (Investigators' Note No. 11 and Addendum No. 5).

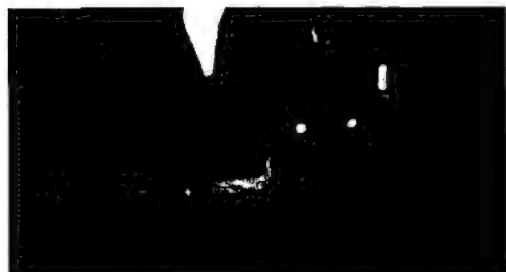
Clothing Analysis

Pursuant to the OIS investigation, Alvin's clothing was recovered from inside the bathroom. Because Alvin was undressed when the OIS occurred, the clothing was not analyzed.

Evidence

There were 29 items of evidence booked in conjunction with the FID investigation. Those items included a knife, one expended cartridge case, TASER cartridges, TASER darts and a buccal swab (Addendum No. 6).

Weapons



Alvin Pinwatana was armed with a Kiwi Brand, 11 inch long and 2 inch wide stainless steel butcher's knife, which consisted of a 6½ inch blade and brown wood grips. The weapon was recovered from the bathroom floor approximately 3 feet, 8

inches inside the threshold, and was booked into evidence as Item No. 1.

Officer Seibert was armed with a TASER, Model X26, Serial No. X00-426909. The TASER was recovered and retained by Detective Sanchez on January 16, 2015.

On January 20, 2015, FID Detective II Thomas Gonzales, Serial No. 27125, downloaded the activation information from the TASER in the presence of Detective Sanchez. Although Officer Seibert only recalled activating the TASER four times, the TASER download revealed six activations between the times of the initial radio call and the subsequent Code-Four broadcast. Detective Sanchez noted a one minute time discrepancy between the time indicated on the TASER printout and the actual time of day, with the TASER reflecting a one minute delay. The first activation registered at 22:45:43 hours GMT and lasted five seconds. The second registered at 22:45:59 hours GMT and lasted one second. The third and fourth registered at 22:46:12 and 22:46:19 GMT and each lasted five seconds. The fifth and sixth registered at 22:46:25 and 22:46:32 GMT and each lasted five seconds (Addendum No. 7).

Note: With the time difference, the activations occurred exactly one minute prior to their respective log activation times with the first true activation occurring at 22:44:43 GMT and the last at 22:45:32 GMT.

Officer Hourigan was armed with a .40 caliber Glock Model 22 semiautomatic pistol, Serial No. HEU818. The pistol was carried in a Department-approved single-retention drop holster affixed to the right side of his Sam Browne. According to Officer Hourigan, at the time of the OIS, the pistol was loaded to capacity, with 16 rounds of S&W Winchester Ranger, 40 S&W, 180 grain SXT ammunition. Fifteen rounds were in the magazine and one round was in the chamber of the pistol.

On January 16, 2015, Detective Sanchez conducted a post-incident examination of Officer Hourigan's pistol. The post-incident examination revealed Officer Hourigan's pistol was loaded with one round in the chamber and 14 rounds in the magazine, which was consistent with him firing one round. Officer Hourigan possessed two additional magazines, each loaded to capacity with 15 rounds of the same Department-approved ammunition.

On March 31, 2015, Scientific Investigation Division (SID) Firearms Unit (FAU) Criminalist II Fadil Biraimah, Serial No. N3140, completed a report documenting the test-firing of Officer Hourigan's pistol. The pistol was found to be functional and the trigger pull range was within the Department's established range (Addendum No. 8).

On June 9, 2015, Detective Sanchez verified via the Firearm Inventory Tracking System that Officer Hourigan's .40 caliber Glock pistol had been entered on his Firearm Inspection Record on August 8, 2005.

Firearms Analysis

On February 3, 2015, FID Detective III Tim Brausam, Serial No. 23833, served a Search Warrant (SW) at [REDACTED] Reedley Street. The SW (SW No. 15LAT0026) was served in an effort to reexamine a defect on a bedroom door in the hallway of the residence. Also present during the service of the SW were Criminalist Biraimah and SID Photographer III Marie Sallaberry, Serial No. N3637. No bullet fragments were recovered; however, Criminalist Biraimah chemically tested the area around the defect for the presence of residue (Addendum No. 9).

On March 20, 2015, SID FAU Criminalist II Alan Perez, Serial No. N3438, completed his Firearms-Bullet/Cartridge Case Comparison and concluded the .40 S&W cartridge case recovered from the hallway was fired from Officer Hourigan's pistol (Addendum No. 10).

On March 31, 2015, Criminalist Biraimah completed a Firearms-Bullet Path Analysis for the aforementioned defect on the bedroom door that he identified as Defect-A. Criminalist Biraimah described Defect-A as a penetrating defect and concluded that it was of an undetermined origin and no copper or lead residues were detected (Addendum No. 11).

Note: During the reexamination of the bedroom door on February 3, 2015, resident [REDACTED] advised investigators that the defect pre-existed the OIS by several years and was the result of an object she threw.

Visual Documentation

[...]

Notifications

Notifications regarding this incident were made by Real-Time and Critical Response (RACR) Division and the details are attached (Addendum No.12).

Personnel at Scene

Information pertaining to additional personnel that responded to Mission Division for this investigation is on file in the casebook at FID.

Communications

A copy of the CD computer-generated incident history printout associated with this occurrence (Incident No. 150115005517) is on file at FID. Digital recordings of Mission Division base frequency, along with 911 calls for service, are on file in the FID casebook. All recorded interviews are stored in the LAPD Training Evaluation and Management System II Database.

Justice System Integrity Division

This case met the criteria for presentation to the LAC DA Justice System Integrity Division and Detective Sanchez will present the case to DA Shannon Presby upon completion of the Administrative Report.

Related Reports

The following LAPD reports, relevant to this investigation, are on file at FID in the casebook.

1. Chief of Police, Twenty Four-Hour Occurrence Log, dated January 15, 2015.
2. Communications Division Incident History Printout for Incident No. 150115005517.
2. Chronological Report, FID No. 004-15.
3. Search Warrant Tactical Plan, dated February 3, 2015.
4. Return to Search Warrant, dated February 5, 2015.
5. Medical Records (777 pages) for Alvin Pinwatana from Providence Holy Cross Medical Center.

Investigators' Notes

1. During his Force Investigation Division (FID) interview, Captain Baker stated that FF/PMs Joon Hong and David Brien, assigned Rescue Ambulance (RA) No. 7, were with him when he initially entered the residence. According to FF/PMs Hong and Brien, they arrived after Captain Baker had already exited the residence. Captain Baker further stated that FF/PM Perez knocked on the bathroom door; however, FF/PM Perez stated that when LAFD personnel knocked on the door he was near the living room.
2. According to Captain Baker and LAFD personnel, they evacuated everyone out of the residence prior to requesting LAPD to respond. According to [REDACTED], there were still people inside her residence when LAPD arrived and officers told her to go back inside her residence and evacuate the remaining occupants (Page 4, Lines 20 through 25, Page 5, Line 1, Page 23, Lines 14 through 25, and Page 24, Lines 1 through 19).

According to Sergeant Parker, upon his arrival, Officer Oh advised him that no other occupants were inside the residence (Page 10, Lines 20 through 25 and Page 11, Lines 1 through 12). According to Officer An, after retrieving a bean-bag shotgun from his vehicle, Officer Oh advised him that *"everyone from the house that normally is from the house should be out"* (Page 7, Lines 22 through 25 and Page 8, Line 1).

According to [REDACTED], who resides at the residence, LAFD called everyone out (Page 8, Lines 10 through 19).

3. Sergeant Parker stated that he was unsure whether the family had stated Alvin was in the process of attempting suicide or wanted to commit suicide. However, [REDACTED] advised investigators that she called 911 after her landlord [REDACTED] informed her that she had observed Alvin cutting his wrist while inside of the bathroom. Investigators interviewed [REDACTED] who advised she was [REDACTED] when Alvin entered with a knife and after turning on the water, cut his wrist. Alvin then told her to get out and she immediately notified Alvin's mother and sister. Both [REDACTED] and [REDACTED] transcribed statements are included in this report.
4. Although in possession of a TASER, Officer Oh stated he believed his assignment consisted of contact only. Sergeant Parker, as well as Officers Hourigan and Schumacher, believed Officer Oh was assigned less-lethal (TASER) along with Officer An. Officer An, although aware he was assigned the bean-bag shotgun was unsure if the TASER assignment was given to Officer Oh or Officer Seibert.
5. Sergeant Parker did not recall his conversation with Officer Seibert and believed that Officer Seibert had remained outside.
6. Officers Hourigan and Oh, along with Sergeant Parker, advised that when the door was breached, Alvin was facing them while Officer An advised Alvin was initially facing away from them.
7. Sergeant Parker stated as he called for the activation of the TASER he looked at Officer Oh, whom he previously assigned TASER officer and Officer Oh was holding his TASER in his left hand while drawing his pistol with his right hand. Sergeant Parker immediately ordered Officer Oh to holster his pistol. Officer Oh did not recall drawing his pistol after he had holstered it upon entry into the residence.
8. Officer An stated once Alvin dropped the knife he remained in the bathroom for another minute or two before exiting.

Officer Oh stated that from the point the door was kicked and he observed Alvin holding the knife to the point Alvin advanced on the officers with the knife raised was mere seconds. Officer Oh later observed the knife inside the bathroom but did not know how it ended up there.

Sergeant Parker stated that Alvin was, "*charging us with a knife,*" and it was not until Alvin finally complied with orders to lie down when in the living room that he observed that Alvin no longer had possession of the knife.

Officer Schumacher described the incident as fluid but advised his view was partially blocked by Officer Oh and therefore he was unable to see Alvin's hands.

9. Officer Seibert stated he was, *"fixated on his (Alvin's) neck and the blood squirting out everywhere,"* and therefore did not see his (Alvin's) hands (Page 23, Lines 17 and 18). However, Officer Seibert stated that Alvin was, *"advancing toward officers and wasn't complying with the officers' orders,"* and therefore, deployed the TASER.²⁹

According to Officer Oh, he did not activate his TASER because he was *"backpedaling"* away from Alvin and, *"didn't have a good shot"* from his position (Page 29, Lines 6 through 13).

10. During the subsequent FID investigation, Sergeant Parker and Officers Hourigan, Seibert, An, Oh and Schumacher conducted walk-throughs inside of the residence and independently advised FID investigators of their approximate location at the time of the OIS. Those locations were documented on the diagram included in this report. Although Officer An is depicted as being behind Sergeant Parker when the OIS occurred, in his transcribed statement he advised (Page 40, Line 25) that Sergeant Parker was, *"somewhere behind me."* Sergeant Parker also advised (Page 13, Lines 2 and 3) that he had positioned himself, *"directly across from the opening, right behind An."*
11. Medical records received from Providence Holy Cross Medical Center for Alvin Pinwatana consisted of 777 pages, 771 of which were numbered sequentially. Detective Sanchez reviewed the medical reports and for the purposes of this report included within the addenda 28 pages, consisting of admission records that documented the names of Alvin's providers (physicians), notes from four of those physicians, notes from a psychological consult, and the LAFD's Pre-hospital Care Report Summary.

In the Pre-hospital Care Report Summary, LAFD described the injury to right side of Alvin's neck as a possible exit wound. Medical personnel later determined the wound to be a self-inflicted stab wound.

The medical reports did not identify any marking associated with the TASER darts nor was a toxicology report completed. The entire medical report is stored in the FID case book.

12. In the transcribed statement of Sergeant Parker (Page 20, Line 22), he advised he had MPD Police Officer III Nick Giordano, Serial No. 37933, conduct a canvass. Officer Giordano arrived after the OIS and assisted with securing and monitoring the interior perimeter. The initial canvass was conducted by additional responding units who completed Field Interview Cards, which are stored in the FID casebook.
13. In the transcribed statement of Officer Schumacher (Page 17, Lines 20 and 21), he stated that someone called out that Alvin was in the shower and had a knife. No

²⁹ Statement of Officer Seibert, Page 41, Lines 14 through 16.

other officers stated they heard that Alvin was in the shower. Officer Hourigan stated that (Page 8, Line 7) upon kicking the door he observed Alvin either near or in the shower, but he did not alert anyone of his observation.

14. In the transcribed statement of Sergeant Pritchett (Page 6, Lines 13 through 19), he stated he heard what sounded like a door breached, followed by a TASER activation, then a scuffle and finally a gunshot. The investigation revealed that the OIS and the first activation of the TASER were almost simultaneous and occurred as Alvin entered the hallway.
15. In the transcribed statement of Sergeant Cameron (Page 20, Lines 4 through 6), he stated that he assigned the task of maintaining the Crime Scene Logs to MPD Police Officers II Brandon Houle, Serial No. 38692, and Jeremy Olson, Serial No. 36098. Those logs are stored in the FID case book.

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CHIEF OF POLICE REPORT³⁰

Chief of Police Analysis

- In the Chief's analysis of this incident, the Chief identified the following tactical considerations:

Debriefing Point No. 1 Tactical Communication

Officers are trained to work together and function as a team. In order to ensure officer safety and help ensure an appropriate outcome, the primary officers and cover officers must effectively communicate with one another. Appropriate communication involves advising the primary officer of any critical occurrences or safety issues. (California Commission on Peace Officers Standards and Training Learning, Domain No. 22)

Sergeant Parker did not effectively communicate with the officers assigned to the team and as a result the officers did not have a clear understanding of their roles and responsibilities.

Operational success is based on the ability of supervisors to effectively communicate during critical incidents. Officers, when faced with a tactical incident, improve their overall safety by their ability to recognize an unsafe situation and work collectively to ensure a successful resolution. A sound tactical plan should be implemented to ensure minimal exposure to the officers, while keeping in mind officer safety concerns.

Sergeant Parker designated Officer Oh as a less-lethal officer and also designated him as the contact officer to handle communications with Pinwatana. Sergeant Parker also designated Officer Hourigan as a lethal force and arrest team officer, and then later assigned him to kick the bathroom door open.

Sergeant Parker decided to assign multiple conflicting responsibilities to the same officers. As a result, Officer Oh never drew his TASER during the incident and Officer Hourigan was left without a cover officer and had to tactically redeploy to a position down the hallway that separated him from the rest of the team. According to the investigation, Sergeant Parker was also unaware he had Officer Seibert as a less-lethal officer and believed he was still outside the residence with his partner.

Although the Chief understood that roles will often change during a tactical incident. In this case, Sergeant Parker had sufficient personnel and created unnecessary confusion amongst the officers by assigning dual roles. In an effort to enhance

³⁰ The information provided in this section summarizes the analysis and findings set forth in the Chief of Police's report for this case.

future performance, the Chief directed that this topic be discussed during the Tactical Debrief.

Debriefing Point No. 2 Barricaded Suspects (Substantial Deviation-Sergeant Parker)

Armed suspects who barricade themselves pose extreme danger to the community and special tactical problems for the police. The actions of the first officers on the scene can mean the difference in whether a barricaded suspect is taken into custody without escalation of an already difficult problem. Handling barricaded suspects requires special weapons and expertise which comes from specialized training. The Special Weapons and Tactics (SWAT) Section of Metropolitan Division is equipped and trained to resolve barricaded suspect situations.

The challenge presented by a barricaded suspect requires an organized and disciplined response. The containment and control actions of the first response unit and Field Commander together with disciplined communications and teamwork will bring the incident to a successful conclusion. (Los Angeles Police Department Training Bulletin, Volume XXVI, Issue 9, October 1994).

Sergeant Parker knew that Pinwatana was armed with a knife, barricaded inside the bathroom and refusing to comply with the officer's orders to come out.

The Use of Force Review Board (UOFRB) majority expressed deep concern and was critical of Sergeant Parker's decision to force entry into a bathroom that contained an armed suspect who had already expressed a desire to end his life. Sergeant Parker did not recognize the incident as a barricaded suspect. He did not conduct a thorough assessment of the situation nor did he seek the advice and guidance of Department resources that were available to him.

A review of the evidence revealed the bathroom window was open and would have afforded the officers the ability to look inside with a mirror or mobile device to assess the suspect's condition without compromising the safety of the officers. Contacting the Mental Evaluation Unit to determine if the suspect had any prior history relevant to their situation and making a notification to SWAT would have also been prudent to ensure they had the information that is necessary to make a sound tactical decision.

The Chief considered the minority's opinion and concurred that the Sergeant was faced with a rapidly unfolding situation and decided to breach the door out of concern for the safety of Pinwatana. However, the majority determined, and the Chief concurred, that Sergeant Parker's decision to have the officers breach the bathroom door without conducting a reasonable assessment or seeking the advice of available resources unnecessarily compromised the safety of the officers and unnecessarily pressed the incident that resulted in the use of deadly force, was a substantial deviation, without justification from approved Department tactical training. The Chief directed that this to be a topic of discussion at the Tactical Debrief.

Chief of Police Findings

- **Tactics** – Administrative Disapproval, Sergeant Parker. Tactical Debrief, Officers Hourigan, Seibert, An, Oh and Schumacher.
- **Drawing/Exhibiting** – In Policy, No Further Action, Officers Oh and Hourigan.
- **Less-Lethal Use of Force** – In Policy, No Further Action, Officer Seibert.
- **Lethal Use of Force** – Out of Policy, Administrative Disapproval, Officer Hourigan.

Tactics

- *Department policy relative to Tactical Debriefs is: "The collective review of an incident to identify those areas where actions and decisions were effective and those areas where actions and decisions could have been improved. The intent of a Tactical Debrief is to enhance future performance." (Los Angeles Police Department Manual, Volume 3, Section 792.05)*

Each tactical incident merits a comprehensive debriefing. In this case, there were identified areas where improvement could be made and a Tactical Debrief is the appropriate forum for the involved personnel to review and discuss the incident and the individual actions that occurred.

The evaluation of tactics requires that consideration be given to the fact that officers are forced to make split-second decisions under very stressful and dynamic circumstances. Tactics are conceptual and intended to be flexible and incident specific. Each tactical incident inherently results in considerations for improvement.

In conducting an objective assessment of this case, the Chief found that the tactics utilized by Sergeant Parker, substantially and unjustifiably deviated from approved Department tactical training, thus requiring a finding of Administrative Disapproval.

Additionally, the Chief found that Officers Hourigan, Seibert, An, Oh, and Schumacher's tactics were consistent with approved Department tactical training and a Tactical Debrief is the appropriate forum for the involved personnel to discuss the incident and individual actions that occurred, with the objective of improving overall organization and individual performance.

The Chief directed that Sergeant Parker along with Officers Hourigan, Seibert, An, Oh and Schumacher attend a Tactical Debrief and that the specific identified topics are discussed.

Note: Additionally, the Tactical Debrief shall also include the following mandatory discussion points:

- Use of Force Policy;
- Equipment Required/Maintained;
- Radio and Tactical Communication (including Code-Six);

- Tactical Planning;
- Command and Control; and,
- Lethal Force.

Drawing/Exhibiting

- *Department policy relative to drawing and exhibiting a firearm is: "An officer's decision to draw or exhibit a firearm should be based on the tactical situation and the officer's reasonable belief there is a substantial risk that the situation may escalate to the point where deadly force may be justified. When an officer has determined that the use of deadly force is not necessary, the officer shall, as soon as practicable, secure or holster the firearm." (Los Angeles Police Department Manual, Volume No. 1, Section 556.80)*

Officer Oh advised Sergeant Parker Pinwatana was locked in the bathroom armed with a knife and his family feared that he was going to kill himself. Sergeant Parker established a team to enter the house and make contact with Pinwatana. As the team entered the house, Officer Oh drew his service pistol.

Officer Oh recalled, *"The reason why I drew out my service pistol... was because it was kind of unpredictable... we weren't sure if he was still inside the bathroom...he could have been out by the time we approached the door... I was kind of worried for my safety, as well as the safety of the other officers."*³¹

After receiving no response from Pinwatana, Sergeant Parker assigned Officer Hourigan to kick the bathroom door open. Officer Hourigan moved up and kicked the door. As the door swung open, Officer Hourigan observed Pinwatana standing inside the bathroom *screaming, naked and covered in blood*. Officer Hourigan redeployed and drew his service pistol.

Officer Hourigan recalled, *"...my other partners started giving commands to drop the knife... the subject replied, you're going to have to shoot me... you're going to have to kill me... more commands were given to drop the knife...I heard movement from the bathroom.... Based on the situation I had my gun out at a low ready, believing that it would lead to a use of deadly force."*³²

Based on the totality of the circumstances, the Chief determined that an officer with similar training and experience as Officers Oh and Hourigan, while faced with similar circumstances would reasonably believe that there was a substantial risk that the situation may escalate to the point where deadly force may be justified.

³¹ Officer Oh, Page 58, Lines 13-19.

³² Officer Hourigan, Page 8, Lines 10-20.

Therefore, the Chief found Officers Oh and Hourigan's Drawing/Exhibiting to be In Policy, No Further Action.

Note: In addition to the above named employees, there were additional personnel who drew or exhibited their firearms during the incident. This drawing/exhibiting was appropriate and requires no specific findings or action in regard to these officers.

Less-Lethal Use of Force

- *The TASER may be used on suspects who are violent, or who pose an immediate threat to themselves or others when an officer believes:*
 - *Attempts to subdue the suspect with other tactics have been, or will likely be, ineffective in the situation; or*
 - *There is reasonable belief that it will be unsafe for officers to approach within contact range of the suspect.*

Verbal threats of violence by a suspect do not alone justify the use of the TASER. Any threat must be a credible one. (Use of Force Tactics Directive No. 4.3, June 2012)

Officer Seibert – Four TASER activations (Probe Mode)

Sergeant Parker observed Pinwatana advancing toward the officers in an aggressive manner and requested a TASER. Officer Seibert heard the request, moved forward and observed Pinwatana *naked with blood spurting out of his neck* walking toward the officers, refusing to comply with the officers' orders to get down. Officer Seibert deployed the TASER at Pinwatana to stop his actions.

Officer Seibert recalled, *"Sergeant Parker yells TASER up... I come around the guys... I see a male naked with blood squirting out of his neck walking towards us... I fire the TASER at his stomach area for the full five seconds...nothings seems to happen assuming one of the darts didn't connect... I pulled the trigger again, it's not working correctly, I turned it off.... reposition myself and put in a second dart and fired a third time in the stomach area... both darts connected to his body.. he fell down...after the five seconds he got up...kept coming towards us.... he fell...he's still trying to get up... so I TASER him one more time...tell him to stop trying to get up, lay on the ground... After the fourth one he seemed to lay down... he was taken into custody."*³³

Note: The data downloaded from Officer Seibert's TASER revealed a total of six activations. Officer Seibert only recalled four TASER activations.

³³ Officer Seibert, Page 9, Line 25; Page 10, Lines 1-7, 9-15 and 17-24.

Department policy states that the decision to use force must be judged through the perspective of a reasonable officer with similar training and experience in a similar circumstance. The UOFRB determined, and the Chief concurred, that an officer with similar training and experience as Officer Seibert would reasonably believe that the application of less-lethal force to stop Pinwatana's actions was reasonable and would have acted in a similar manner.

In conclusion, the Chief found Officer Seibert's Less-Lethal Use of Force objectively reasonable and In Policy, No Further Action.

Lethal Use of Force

- *Law enforcement officers are authorized to use deadly force to:*
 - *Protect themselves or others from what is reasonably believed to be an imminent threat of death or serious bodily injury; or,*
 - *Prevent a crime where the subject's actions place person(s) in imminent jeopardy of death or serious bodily injury; or,*
 - *Prevent the escape of a violent fleeing felon when there is probable cause to believe the escape will pose a significant threat of death or serious bodily injury to the officer or others if apprehension is delayed. In this circumstance, officers shall, to the extent practical, avoid using deadly force that might subject innocent bystanders or hostages to possible death or injury. (Los Angeles Police Department Manual, Volume 1, Section 556.10)*
- *Department policy relative to Administrative Disapproval is: "A finding, supported by a preponderance of the evidence that the tactics employed during a CUOF incident unjustifiably and substantially deviated from approved Department tactical training." (Los Angeles Police Department Manual, Volume 3, Section 792.05)*

Officer Hourigan – .40 caliber, fired one round in a southern direction from an approximate distance of five feet.

Officer Hourigan observed Pinwatana exit the bathroom hunched over with his *hands up, clenched in an aggressive manner* moving towards the area where he last observed the officers deployed. Believing that Pinwatana was still armed with the knife and was going to harm the officers, Officer Hourigan fired one round from his service pistol towards Pinwatana to stop his actions.

Officer Hourigan recalled, *"He came out in an aggressive manner towards my partner officers, hunched over with his hands up... believing he had a knife and he was going to harm my partner officers, I fired one shot..."*³⁴

The UOFRB determined, and the Chief concurred, that an officer with similar training and experience as Officer Hourigan would not reasonably believe Pinwatana's

³⁴ Officer Hourigan, Page 9, Lines 7-10.

actions while exiting the bathroom with his *hands up* without seeing a knife in Pinwatana's hands presented an imminent threat of death or serious bodily injury to Officer Hourigan or any of the other officers at the time he fired his service weapon.

Therefore, the Chief found Officer Hourigan's Use of Lethal Force when he fired a round at Pinwatana was not objectively reasonable and Out of Policy, Administrative Disapproval.

Additional Tactical Debrief Topics

- **Simultaneous Commands (Non-Conflicting)** - Throughout the incident multiple officers were giving commands to Pinwatana. Although the commands were non-conflicting, the officers are reminded that simultaneous commands sometimes lead to confusion and non-compliance. The Chief directed that this be a topic of discussion during the Tactical Debrief.
- **Building Search** – Upon entering the residence, it was noted there were several rooms with the doors closed that had not been cleared by officers. Although LAFD advised the officers that the residence was evacuated prior to their arrival, officers are reminded to verify that all potential danger areas are cleared or at minimum covered. The Chief directed that this be a topic of discussion during the Tactical Debrief.

Audio / Video Recordings

- **Digital in Car Video System (DICVS)/Body Worn Video (BWV)** – At the time of the incident, Mission Division did not have the Digital-In-Car Video System and none of the officers involved were equipped with Body Worn Video.

The FID investigation found there were no videos that captured the Categorical Use of Force.

Command and Control

- Sergeant Parker responded and assumed the role of the Incident Commander. Upon being briefed on the situation he learned that the suspect was suicidal, locked in the bathroom, and possibly armed with a knife. Sergeant Parker then formed the opinion they needed to breach the bathroom door to check on the welfare of the suspect before conducting a reasonable assessment of the situation or utilizing available Department resources that would have enabled him to make a sound tactical decision without compromising the safety of the officers.

The UOFRB majority determined, and the Chief concurred, that Sergeant Parker's decision to force entry into a bathroom that contained an armed suspect without conducting a thorough assessment of the situation or seeking the advice of Department resources was a substantial deviation without justification from

approved Department tactical training and warrants a finding of Administrative Disapproval. Sergeant Parker also fell short of his expectations of a supervisor during a tactical incident. The Chief directed this to be a topic of discussion at the Tactical Debrief.

General Training Update (GTU)

- Sergeant Parker and Officers Hourigan, Schumacher and Seibert, attended General Training Update (GTU) on March 4, 2015. All mandatory topics were covered. Officers Ho and An have not attended a GTU.

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INSPECTOR GENERAL REVIEW

Inspector General Analysis

Investigation Quality

- No significant issues of concern were identified in relation to investigation quality.

Training Issues

- No significant issues of concern were identified in relation to training.

Equipment Issues

- No significant issues of concern were identified in relation to equipment.

Inspector General Recommendations

Tactics

- The OIG concurs with the Chief's findings.

Drawing/Exhibiting

- The OIG concurs with the Chief's findings.

Less-Lethal Use of Force

- The OIG concurs with the Chief's findings.

Use of Lethal Force

- The OIG concurs with the Chief's findings.

A handwritten signature in black ink, appearing to read "A. Bustamante, for".

ALEXANDER A. BUSTAMANTE
Inspector General